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Attorneys for Pacific Alliance Asia Opportunity Fund, L.P.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:	:	Chapter 11
	:	
GENEVER HOLDINGS LLC,	:	Case No. 20-12411-jlg
	:	
Debtor.	:	
	:	

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**DECLARATION OF EDWARD MOSS, ESQ., IN SUPPORT OF
PACIFIC ALLIANCE ASIA OPPORTUNITY FUND L.P.'S REPLY
(I) IN FURTHER SUPPORT OF ITS MOTION TO MODIFY THE AUTOMATIC STAY
TO PROCEED WITH STATE COURT LITIGATION, AND RELATED RELIEF, AND
(II) IN RESPONSE TO OBJECTIONS**

Pursuant to 28 U.S.C. §1746, Edward Moss, Esq., declares as follows:

1. I am a partner at O'Melveny & Myers LLP, co-counsel to Pacific Alliance Asia Opportunity Fund L.P. ("PAX") in the above-captioned Chapter 11 case. O'Melveny & Myers also has represented PAX since April 2017 in a New York state litigation against Miles Kwok ("Kwok"), Genever Holdings LLC (the "Debtor"), and Genever Holdings Corporation ("Genever BVI") (the "State Court Action").¹

¹ The State Court Action is *Pacific Alliance Asia Opportunity Fund L.P. v. Kwok et al.*, Index No. 652077/2017 (N.Y. Cnty. Sup. Ct.).

2. I submit this Declaration in support of PAX's Reply (i) in Further Support of its Motion to Modify the Automatic Stay to Proceed with State Court Litigation, and Related Relief, and (ii) in Response to Objections.

3. I have knowledge of the facts set forth in the Declaration based on my involvement in representing PAX in the State Court Action. If called upon to testify, I would testify competently regarding the facts set forth herein.

4. PAX filed certain ancillary actions in the British Virgin Islands (BVI) in 2020 under case No. BVIHCM 2020/0137, against non-debtor third-parties, including, as against Genever Holdings Corporation (the BVI parent company of the Debtor), Bravo Luck Limited, Kwok, and Qiang Guo ("Guo"), seeking, among other things, (i) to enforce the judgment in the State Court Action, and (ii) for a declaration that a purported trust document is a false document or should be set aside as a fraud on Kwok's creditors. That action also seeks a declaration that Bravo Luck is beneficially owned by Kwok, and not by Guo, and that Guo holds the shares issued by Bravo Luck on trust for Kwok. PAX has obtained injunctive relief in support of these proceedings.

5. As part of the BVI proceedings, PAX obtained a disclosure order on October 30, 2020, which resulted in significant disclosures; PAX obtained the BVI Court's permission to disclose that evidence to U.S. courts. Bravo Luck applied to the BVI Courts to set aside that permission, which was denied.

6. Attached as Exhibit 68 is a true and accurate copy of excerpts of those recently unsealed documents.

7. Attached as Exhibit 69 is a true and accurate copy of an order approved by the BVI Court on January 21, 2021, denying Bravo Luck's request to set aside PAX's permission to obtain disclosure.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 22, 2021

A handwritten signature in blue ink, appearing to read "Ed Moss", written over a horizontal line.

Edward Moss